

VILLAGE OF PENINSULA, OHIO

RESOLUTION NO.: 15-2021

INTRODUCED BY: _____

DATE PASSED: _____

A RESOLUTION EXPRESSING THE VILLAGE OF PENINSULA MAYOR AND COUNCIL'S DISPLEASURE WITH THE CONSERVANCY FOR THE CUYAHOGA VALLEY NATIONAL PARK AND CUYAHOGA VALLEY NATIONAL PARK'S COLLECTIVE EFFORTS TO ACQUIRE, OWN, AND CONTROL THE ENTIRETY OF THE FORMER BRANDYWINE GOLF COURSE PROPERTY

WHEREAS, nearly five decades ago, the Cuyahoga Valley National Park ("CVNP" or "Park") and Village of Peninsula ("Village") became partners in servicing, protecting, and enhancing the experiences of thousands of CVNP visitors in the Village each day; and

WHEREAS, the Village effectively functions as the Gateway to the CVNP; and

WHEREAS, the Village taxpayers have willingly provided and funded the required infrastructure and workforce to service the thousands of park visitors that come to the Village each day; and

WHEREAS, the aforementioned infrastructure and workforce includes, but is not limited to, safe roads, Service Department personnel, police protection, fire protection, and emergency medical services (fire protection and EMS services are provided through the Valley Fire Department); and

WHEREAS, the aforementioned infrastructure and workforce is funded by approximately 237 households and 15 small to medium sized businesses; and

WHEREAS, that finite group of property owners pays property taxes at rates higher than most other communities in Summit County while not receiving services that other communities enjoy such as central sewers and water; and

WHEREAS, the absence of a central sewer system in the Village has hampered economic development in the Village and the ability of commercial property owners, and residential property owners in the downtown area, to maintain their properties in good condition due to the restrictions upon and high cost of septic systems for properties near the Cuyahoga River and in the small lot downtown area; and

WHEREAS, the absence of a central water system in the Village adds to the cost of living and doing business in the Village due to the fact that downtown homes and businesses have no access to sources of clean water without trucking in water to be stored in cisterns, sometimes on a daily basis; and

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WHEREAS, the Village taxpayers have willingly shouldered the costs associated with the infrastructure and services necessary to provide positive and safe experiences for Park visitors, even while those costs and the number of Park visitors have dramatically increased each year; and

WHEREAS, the Park's ownership of over one half of the property area in the Village; the Village's resulting isolation due to it being located in the middle of National Park; and the Village's geographic, topographic, and infrastructure constraints; have hampered the Village's ability to generate revenue to support its CVNP visitor related infrastructure and service costs; and

WHEREAS, the Village's tax base is presently negatively affected due to the following factors:

1. the Village's inability to generate property tax and employment tax revenue from Park owned property;
2. the relocation of almost all of the General Die Casters workforce to the City of Twinsburg due to the lack of expansion space and central water and sewer systems in the Village;
3. the relocation of the Woodridge Intermediate School to the City of Cuyahoga Falls;
4. the closure of the Brandywine Golf Course; and
5. the absence of remaining land in the Village suitable for economic development other than the former Brandywine Golf Course property; and

WHEREAS, due to the failure to meet federal Clean Water Act standards in the Village, the Ohio EPA has advocated and directed that a central wastewater system be constructed in the Village that would service the downtown area and Park visitors and improve the water quality of the Cuyahoga River for Village residents and Park patrons; and

WHEREAS, although a Village central wastewater system is sorely needed and the County of Summit has worked tirelessly on engineering and funding plans to bring that system to the Village, such system, if built, will impose an additional tax burden on Village property owners; and

WHEREAS, as a result of the burden on Village taxpayers to shoulder the necessary infrastructure and workforce costs to service Park visitors, avenues for the Village to generate additional tax revenues to sustain its partnership with the CVNP must be preserved; and

WHEREAS, the former Brandywine Golf Course property, a cherished property in the Village, constitutes over 200 acres and the only significant vacant tract of land in the Village that is suitable for significant economic development projects; and

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WHEREAS, the Village Planning Commission and Council have determined through the Village's Zoning Code that the former golf course property, if developed, must be developed in an environmentally sensitive and recreation themed manner that preserves a significant amount of green space; and

WHEREAS, at the time the CVNP was established, the National Park Service and CVNP principals promised the Village, in order to receive support from Village officials and residents for the establishment of the Park and the provision of infrastructure and services for Park visitors, the CVNP would not acquire additional land within the corporate limits of the Village; and

WHEREAS, the CVNP has appeared to renege on that promise in working with the Conservancy for the CVNP to purchase the entirety of the former Brandywine Golf Course property and later turn over the vast majority of the property to the CVNP; and

WHEREAS, if the aforementioned purchase is consummated and the property transfers into the hands of Conservancy and National Park Service, the percentage of non-revenue generating land in the Village will significantly increase; and

WHEREAS, the Conservancy for the CVNP purchasing the former golf course property would be a worst case financial scenario for the Village and a death knell to the Village's prospects for generating additional revenue from this developable property to support its infrastructure and service needs; and

WHEREAS, the expansion of tax exempt Park owned land in the Village will also create a significant revenue loss for the Woodridge School District and ultimately result in higher property taxes within the entire District to make up for the revenue loss resulting from the property being re-designated as tax-exempt property; and

WHEREAS, the Village and Summit County Executive's office enquired whether the Conservancy and CVNP would cooperate with the Village and County, possibly with the assistance of County Land Bank Program, to reach an understanding that would permit the Conservancy for the CVNP to acquire the portion of the former golf course property that it wants to retain, the CVNP to receive a significant portion of additional land to be used for its preferred purposes, and a portion of the property to go into private ownership and be developed in a manner that would support the mission of the Park and its visitors while still generating property taxes, employment taxes, and other taxes and fees for the Village and County; and

WHEREAS, the Mayor and Council feel that permitting a portion of the former golf course property to be privately developed in accordance with the aforementioned restrictions would be in the best interests of the Village, County, CVNP, and patrons of the CVNP; and

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WHEREAS, the Conservancy for the CVNP and CVNP have rebuffed overtures from the Village and Summit County Executive's office as to whether the Conservancy and CVNP could reach an understanding as to the mutually beneficial use of the subject property; and

WHEREAS, the Conservancy for the CVNP and CVNP have taken the position they need to acquire and control all of the 200 plus acres of the former golf course property; and

WHEREAS, if the CVNP were to acquire the entirety of the old golf course property, it would only increase the size of the CVNP by 0.06%, while taking away 14% of the existing taxed land mass from the Village; and

WHEREAS, the Conservancy for the CVNP and CVNP's purchase of the property could cause irreparable harm to the Village and its financial ability to support and partner with the CVNP to provide critical infrastructure and services utilized by Park visitors.

NOW, THEREFORE, BE IT ORDAINED by the Council of the Village of Peninsula, Summit County, Ohio, to wit:

SECTION 1. The Mayor and Council of the Village of Peninsula hereby express their heartfelt displeasure with the Conservancy for the Cuyahoga Valley National Park and Cuyahoga Valley National Park's desire and efforts to collectively acquire, own, and control the former Brandywine Golf Course property. The Mayor and Council respectfully implore the Conservancy and CVNP to reconsider their plans to purchase property, and instead, permit the property to be privately owned and developed in a manner that would support the mission of the Park and its visitors while still generating tax revenues and fees for the Village and County. In the alternative, in the event the Conservancy and Park insist on acquiring the former golf course property, the Mayor and Council beseech the Conservancy and Park to work cooperatively with the Village and County, possibly with the assistance of County Land Bank Program, to find a mutually beneficial solution that would permit the Conservancy for the CVNP to acquire the portion of the former golf course property that it wants to retain, the CVNP to receive a significant portion of additional land to be used for its preferred purposes, and a portion of the property to go into private ownership and be developed in a manner that would support the mission of the Park and its visitors while still generating tax revenues and fees for the Village and County.

SECTION 2. All formal actions of this Council concerning and relating to the adoption of this Resolution were taken in an open meeting of this Council, and all deliberations of this Council or any of its committees that resulted in such formal action, were taken in meetings open to the public and/or in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

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SECTION 3. This Resolution shall take effect and be in force as of the earliest date permitted by law.

SECTION 4. Effective Date. This Resolution shall take effect on the _____ day of _____, 2021.

IN WITNESS WHEREOF, we have hereunto set our hands this _____ day of _____, 2021.

Passed:

Daniel Schneider, Jr., Mayor

Attest:

Katie Iaconis, Fiscal Officer

Approved as to Legal Form.

Bradric T. Bryan, Solicitor

I, Katie Iaconis, Fiscal Officer of the Village of Peninsula, Summit County, Ohio, do hereby certify that the foregoing Resolution was duly passed by the Council of the Village of Peninsula, at a meeting held on the _____ day of _____, 2021.

Katie Iaconis, Fiscal Officer

Posting Certificate

I, Katie Iaconis, Fiscal Officer of the Village of Peninsula, Summit County, Ohio, hereby certify that there is no newspaper published in the Municipality, and publication of the foregoing Resolution was made by posting true and accurate copies thereof at five of the most public places in the Village as previously determined by Council, each for a period of at least fifteen days, commencing on the _____ day of _____, 2021, as follows:

1. Terry Lumber & Supply;
2. Valley Fire District;
3. Peninsula Library & Historical Society;
4. Peninsula Village Hall Lobby; and
5. Peninsula Post Office.

Katie Iaconis, Fiscal Officer